IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 10TH APRIL 2007 / 20TH CHAITHRA 1929

Bail Appl..No. 2103 of 2007()

Crime No.177/07 of Nilambur Police Station

: PETITIONERS/ACCUSED NO.1 TO 3

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1. IQBAL, S/O.MOHAMMED, AGED 44 YEARS,
   CHUNGATH HOUSE, TANA, MAMPAD AMSOM DESOM,
   NILAMBUR TALUK.

2. KUNHIMAN, S/O.MOHAMMED, AGED 40
   YEARS, KANHIRALA HOUSE, MAMPAD VEEMBUNGAL,
   NILAMBUR TALUK.

3. BAVA, S/O.KUNHALAVI, AGED 48 YEARS,
   EDATHADATHIL HOUSE, ODAYIKKAL,
   P.O.PULLIPPADAM, MAMPAD, NILAMBUR TALUK.

BY ADV. SRI.K.P.MUJEEB

RESPONDENTS: COMPLAINANT

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1. STATE OF KERALA - REPRESENTED BY
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
   NILAMBUR POLICE STATION.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 2103 OF 2007

Dated this the 10th day of April, 2007

O R D E R

In this Petition filed under Sec. 438 Cr.P.C. the petitioners, who are accused Nos.1 to 3 in Crime No.177/07 of Nilambur Police Station for offences punishable under Secs.143, 147, 148, 452, 323 and 324 read with section 149 I.P.C., seek anticipatory bail.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. Having regard to the nature of the allegations levelled against the petitioners and the other circumstances of the case, I am inclined to grant anticipatory bail to the petitioners. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioners on bail for a period of one month in the event of their arrest in connection with the above case on each of them executing a bond for Rs.10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction to the said officer and subject to the following conditions:

a. Petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

b. Petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.

c. Petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

d. Petitioners shall not commit any offence while on bail.

e. Petitioners shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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